



04-CV-05462-ORD

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| FILED                                    | LODGED |
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| JUL 31 2007                              |        |
| CLERK U.S. DISTRICT COURT                |        |
| WESTERN DISTRICT OF WASHINGTON AT TACOMA |        |
| BY                                       | DEPUTY |

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON  
TACOMA DIVISION

NICHOLAS CHRISTOFORO, an infant, by  
and through his mother and next friend,  
Jessica Christoforo,

and

JESSICA CHRISTOFORO,

and

JAMES CHRISTOFORO,

Plaintiffs,

v.

UNITED STATES OF AMERICA,

Defendant.

NO: CV 4-5462 RBL

PROPOSED ORDER APPROVING  
ANNUAL REPORT AND FEES

THIS MATTER having come on regularly for hearing before the undersigned Judge/Court Commissioner of the above-entitled Court on the date shown below upon the Petition of Trustee for the entry of an order approving its annual report and fees, filed by Wells Fargo Bank, NA, Trustee of the Nicholas Christoforo Supplemental Needs Trust, u/a dtd March 30, 2006, the Trustee being represented by Aiken, St. Louis & Siljeg, P.S., and the Court having considered the Petition, all attachments to the Petition, and being fully advised in the premises, Now Therefore, the Court Makes the Following:

## **I. FINDINGS OF FACT**

1           **A. Jurisdiction.** The facts alleged in the Petition for Order Approving  
2 Annual Report and Fees, and all attachments to that Petition are true and include all of the  
3 facts necessary to give the Court jurisdiction over this matter.

4           **B. Acts of Trustee.** It appears to the Court that all acts required of the Trustee have  
5 been performed.

6           **C. Correctness of Annual Accounting.** It appears to the Court that the accounting  
7 submitted by the Trustee is correct.

8           **D. Notice.** Notice of the hearing on this matter has been properly provided to the  
9 parties entitled to receive such notice.

## **II. CONCLUSIONS OF LAW**

10           **A. Jurisdiction.** The Court has jurisdiction over the parties and the subject matter of  
11 this trust proceeding.

12           **B. Approval of Accounting.** The Court should enter an Order approving the  
13 accounting of the Trustee for the period from May 1, 2006 through April 30, 2007.

14           **C. Proposed Budget.** The Court should enter an order approving the proposed  
15 budget of the Trustee for the period from May, 2007 through August, 2008.

16           Based on the foregoing Findings of Fact and Conclusions of Law, the Court makes the  
17 following:

## **III. ORDER**

18           **A. Approval of Accounting of Trustee.** The accounting of Wells Fargo Bank, N.A.,  
19 the Trustee of the Nicholas Christoforo Supplemental Needs Trust, u/a dtd March 30, 2006,  
20 and all of the Trustee's accounts, actions, investments, and expenditures set forth in the  
21 accounting for the period from May 1, 2006 through April 30, 2007 are approved.

22           **B. Approval of Fees of Trustee.** The fees of Wells Fargo Bank, N.A. as Trustee of  
23 the Nicholas Christoforo Supplemental Needs Trust, u/a dtd March 30, 2006 for the period  
24

1 from May 1, 2006 through April 30, 2007 in the total amount of \$16,533.12 are approved.

2 The payment of the approved fees and costs from the assets of the Trust estate shall be and  
3 hereby is ratified.

4 C. **Proposed Budget.** The proposed budget of the Trustee attached as Exhibit "A" to  
5 the Petition of Trustee for Order Approving Annual Report and Fees shall be and hereby is  
6 approved.

7 D. **Next Annual Accounting.** The next annual report and accounting of the Trustee  
8 shall cover the period from May 1, 2007 through April 30, 2008 and shall be filed no later  
9 than 90 days after April 30, 2008.

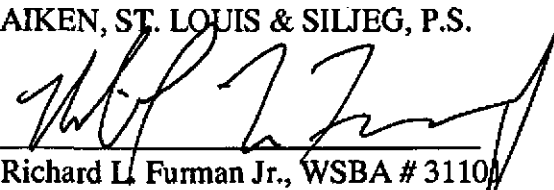
10 E. \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_

13 Dated this 27<sup>th</sup> day of July, 2007.

14   
15 UNITED STATES DISTRICT COURT JUDGE/  
16 UNITED STATES MAGISTRATE JUDGE

17 Presented by:

18 AIKEN, ST. LOUIS & SILJEG, P.S.

19   
20 Richard L. Furman Jr., WSBA # 31104  
21 Corey T. Denevan, WSBA # 32114  
22 Attorneys for Trustee  
23  
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